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#### SILVERMANACAMPORA LLP

Counsel to plaintiff Marianne T. O'Toole, the Chapter 7 Trustee 100 Jericho Quadrangle, Suite 300 Jericho, New York 11753 (516) 479-6300 Anthony C. Acampora, Esq. Ronald J. Friedman, Esq. Robert J. Ansell, Esq.

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re: Chapter 7

HRH CONSTRUCTION LLC, et al.,

Case No.: 09-23665 (RDD) (Jointly Administered)

Debtor.

MARIANNE T. O'TOOLE, Chapter 7 Trustee of HRH CONSTRUCTION LLC, et al.,

Plaintiff,

-against-

Adv. Pro. No.: 12-08230 (RDD)

REMUS HRH LLC, REMUS HOLDINGS LLC, STARRETT CONSULTING LLC, LEVIATHAN CONSTRUCTION MANAGEMENT SERVICES LLC a/k/a LEVIATHAN CONSTRUCTION SERVICES LLC, BRAD SINGER, GARY SINGER, GREGORY CUNEO, KAREN SINGER, GARY & KAREN SINGER CHILDREN'S TRUST, STEVEN SINGER, HRH MANAGEMENT LLC, ROMULUS HOLDINGS, INC., HRH SERIES A LLC, HRH CLASS A COMMON LLC, GEMINI CONSTRUCTION ASSOCIATES, LLC, ANNE MARIE LLC, BRAD & BETH SINGER CHILDREN'S TRUST, STEVEN SINGER CHILDREN'S TRUST, SECOND GARY AND KAREN SINGER CHILDREN'S TRUST, AVERY MAYA CMS LLC, NEW HRH FUNDING LLC, DIANE HARRIS, DOROTHY M. SINGER TRUST, REBECCA SINGER, PHILLIP MANDELBAUM, "JOHN DOES 1-50", "JANE DOES 1-50", "ABC PARTNERSHIPS 1-50", "DEF LIMITED LIABILITY COMPANIES 1-50" and/or "XYZ CORPORATIONS 1-50" (the last five names being names unknown to Trustee, the parties intended being any other parties who are transferors. transferees or beneficiaries of any of the conveyed assets described in the Complaint, and who gave no, or less than fair, consideration for such assets),

Defendants.

#### **AFFIDAVIT OF SERVICE**

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STATE OF NEW YORK	)
	) ss.
COUNTY OF NASSAU	)

I, **SHEREE B. KING**, being duly sworn, depose and say that: I am not a party to this action, am over 18 years of age, and am employed by SilvermanAcampora LLP.

On November 13, 2013, deponent served the documents known as follows:

• DECLARATION OF JAY S. HELLMAN IN REPLY TO DEFENDANTS' OPPOSITION TO THE TRUSTEE'S MOTON FOR SANCTIONS BASED ON DEFENDANTS' FAILURE TO COMPLY WITH THE COURT'S JUNE ORDER AND THEIR DISCOVERY OBLIGATION.

by **overnight delivery** to the address(es) listed herein, said address(es) designated for that purpose, by depositing a true copy of same enclosed in a properly addressed wrapper, in an official depository under the exclusive care and custody of **Federal Express** within the State of New York.

TO: Joseph A. Patella, Esq. Andrews Kurth LLP 450 Lexington Avenue New York, New York 10017 **Counsel for Defendants:** Remus HRH LLC. Remus Holdings LLC, Starrett Consulting LLC, Gary Singer. Karen Singer, Gary & Karen Singer Children's Trust, Steven Singer, HRH Management LLC, Romulus Holdings, Inc., HRH Series A LLC. HRH Class A Common LLC. Gemini Construction Associates, LLC, Steven Singer Children's Trust, Second Gary & Karen Singer Children's Trust, Estate of Dorothy M. Singer, Rebecca Singer and

Phillip Mandelbaum

Neal H. Klausner, Esq. Davis & Gilbert LLP 1740 Broadway New York, New York 10019

#### **Counsel for Defendants:**

Leviathan Construction Management Services LLC a/k/a Leviathan Construction Services LLC, Brad Singer, Brad & Beth Singer Children's Trust, Avery Maya CMS LLC, and Diane Harris

Harry W. Lipman, Esq. Rottenberg Lipman Rich, P.C. 369 Lexington Avenue 16<sup>th</sup> Floor New York, New York 10017

### **Counsel for Defendant:**

**Gregory Cuneo** 

Howard O. Godnick, Esq. Schulte Roth & Zabel, LLP 919 Third Avenue New York, New York 10022

### **Counsel for Defendants:**

Anne Marie LLC and New HRH Funding

SHEREE B. KING

Sworn to before me this 13th day of November, 2013

s/Elisa Coates

Notary Public

Elisa Coates Notary Public, State of New York No. 01C04764451 Qualified in Suffolk County Commission Expires November 30, 2014